

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-10888

Ronald Qualls

v.

Lois Russo

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-13

and contained in Volume(s) I are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 8/31/2006.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on September 11, 2006.

Sarah A Thornton, Clerk of Court

By: *Sarah Thornton*

Deputy Clerk

Receipt of the documents in the above entitled
case is hereby acknowledged this date: 9/12/06.

OBarchak

Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10888-NMG

Qualls v. Russo

Assigned to: Judge Nathaniel M. Gorton

Cause: 28:2254 Petition for Writ of Habeas Corpus
(State)

Date Filed: 04/29/2005

Jury Demand: None

Nature of Suit: 530 Habeas
Corpus (General)

Jurisdiction: Federal Question

Petitioner

Ronald Qualls

represented by **Jeffrey A. Denner**

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V.

Respondent

Louis Russo
*Superintendent, Souza-
 Baranowski Correctional Center*

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*LEAD ATTORNEY
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| Date Filed | # | Docket Text |
|------------|----|--|
| 04/29/2005 | •1 | PETITION for writ of habeas corpus pursuant to 28:2254 § 5, receipt number 63883, filed by Ronald Qualls. (Attachments: # <u>1</u> Notice re: Exhibits# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Civil Cover Sheet)(Abaid, Kim) (Entered: 05/02/2005) |
| 04/29/2005 | • | If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Abaid, Kim) (Entered: 05/02/2005) |
| 04/29/2005 | •2 | NOTICE of Appearance by R. Bradford Bailey, Jeffrey A. Denner on behalf of Ronald Qualls (Abaid, Kim) (Entered: 05/02/2005) |
| 10/24/2005 | •3 | Judge Nathaniel M. Gorton : Electronic ORDER entered. SERVICE ORDER re 2254 Petition. Order entered pursuant to R.4 of the Rules governing Section 2254 cases for service on respondents. Answer/responsive pleading due w/in 20 days of rcpt of this order. Note- A servcie order was not issued upon the opening of this case in error.(Nicewicz, Craig) (Entered: 10/24/2005) |
| 11/17/2005 | •4 | Assented to MOTION for Extension of Time to January 3, 2006 to Respond to Petition for Writ of Habeas Corpus by Louis Russo.(McLaughlin, Maura) (Entered: 11/17/2005) |
| 11/29/2005 | • | Judge Nathaniel M. Gorton : Electronic ORDER entered granting <u>4</u> Motion for Extension of Time (Nicewicz, Craig) (Entered: 11/29/2005) |

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| 12/02/2005 | • 1 | Mail Returned as Undeliverable. Mail sent to Attorney General Comm. of Mass. (Nicewicz, Craig) (Entered: 12/02/2005) |
| 12/05/2005 | • 5 | Letter/request (non-motion) from Brad Bailey. (Nici, Richard) (Entered: 12/06/2005) |
| 01/04/2006 | • 6 | MEMORANDUM OF LAW by Louis Russo. (Attachments: # 1 Exhibit State court criminal action docket sheet) (McLaughlin, Maura) (Entered: 01/04/2006) |
| 02/07/2006 | • 7 | Assented to MOTION for Leave to File <i>Petitioner's Reply to the Commonwealth's Opposition to Petition for Writ of Habeas Corpus</i> by Ronald Qualls. (Bailey, R.) (Entered: 02/07/2006) |
| 02/07/2006 | • 8 | PROPOSED DOCUMENT SUBMITTED TO THE COURT REPLY to Response to Motion re 7 Assented to MOTION for Leave to File <i>Petitioner's Reply to the Commonwealth's Opposition to Petition for Writ of Habeas Corpus</i> filed by Ronald Qualls. (Bailey, R.) Modified on 3/6/2006 (Sonnenberg, Elizabeth). (Entered: 02/07/2006) |
| 02/22/2006 | • 9 | Judge Nathaniel M. Gorton : Electronic ORDER entered granting 7 Motion for Leave to File. Reply not to exceed 10 pages. Reply due within 10 days of this order. (Nicewicz, Craig) (Entered: 02/22/2006) |
| 02/22/2006 | • 10 | REPLY to Response to Motion re 7 Assented to MOTION for Leave to File <i>Petitioner's Reply to the Commonwealth's Opposition to Petition for Writ of Habeas Corpus</i> filed by Ronald Qualls. (Bailey, R.) (Entered: 02/22/2006) |
| 03/06/2006 | • 11 | Notice of correction to docket made by Court staff. Correction: Docket No. 8 corrected because attorney choose the Wrong Event. Clerk has notified attorney on correct e-filing procedures when filing a Motion for Leave. (Sonnenberg, Elizabeth) (Entered: 03/06/2006) |
| 03/23/2006 | • 12 | Letter/requesting case no. 05-12341 was opened inadvertently and should be closed, this is the correct case 05-10888 from Courtney Mills. (Sonnenberg, Elizabeth) (Entered: 03/24/2006) |
| 08/01/2006 | • 13 | Judge Nathaniel M. Gorton : ORDER entered. MEMORANDUM AND ORDER"For the foregoing reasons, Quall's petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 is DISMISSED. So ordered."(Sonnenberg, Elizabeth) (Entered: 08/02/2006) |

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| 08/31/2006 | ⑨ 12 | NOTICE OF APPEAL no filing fee enclosed as to 11 Memorandum & ORDER by Ronald Qualls. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 9/20/2006. (Sonnenberg, Elizabeth) (Entered: 08/31/2006) |
| 08/31/2006 | ⑩ 13 | MOTION for Certificate of Appealability by Ronald Qualls. (Sonnenberg, Elizabeth) (Entered: 08/31/2006) |